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Department of Health and Hospitals
Bureau of Health Services Financing

Substantive Changes and Public Hearing Notification
Hospital Licensing Standards
Therapeutic Recreational Therapists
(LAC 48:I.9501)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Health and Hospitals, Bureau of Health Services Financing published a Notice of Intent in the February 20, 2015 edition of the *Louisiana Register* (LR 41:481) to amend LAC 48:I.9501. This Notice of Intent proposed to amend the provisions governing hospital licensing standards to revise the qualification requirements for therapeutic recreational therapists, to establish the qualifications of an individual who shall clinically supervise therapeutic recreational services, and to provide clarity regarding recreational therapy in the psychiatric hospital setting.

The department conducted a public hearing on this Notice of Intent on March 31, 2015 to solicit comments and testimony on the proposed Rule. Upon further discussion with stakeholders, the department subsequently determined that further revisions to these provisions were necessary which resulted in non-technical, substantive changes to the February 20, 2015 Notice of Intent.

Taken together, all of these proposed revisions will

closely align the proposed Rule with the Department's original intent and the concerns brought forth in discussions with stakeholders after publication of the Notice of Intent. No fiscal or economic impact will result from the amendments proposed in this notice.

Title 48

PUBLIC HEALTH-GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 95. Hospitals

Subchapter R. Psychiatric Services (Optional)

§9501. Staffing

A. - F. ...

G. Therapeutic activities shall be clinically supervised and provided by therapeutic recreational therapists adequate in number to respond to the therapeutic activity needs of the patient population being served.

G.1. ...

a. have a degree in therapeutic recreation therapy from an accredited post-secondary institution; or

G.1.b. - 3. ...

4. Licensed hospitals providing therapeutic recreational services pursuant to §9501 and whose staff do not meet the qualifications of §9501.G.2.a. - d. within the time frame provided for in §9501.G.3., shall submit to the Department

documentation which:

- a. clearly indicates why the qualifications have not been met; and
- b. provides evidence of a barrier to access of such services in the hospital's service area.

5. No hospital shall submit the documentation allowed for in §9501.G.4. more than once and the submission shall cover a period of no more than 12 months from the date of receipt by the Department.

6. Recreational therapy shall be designed to:
- a. restore, remediate and rehabilitate a person's level of functioning and independence in life activities;
 - b. promote health and wellness; and
 - c. reduce or eliminate the activity limitations and restrictions to participation in life situations caused by an illness or disabling condition.

Note: Examples of intervention modalities include, but are not limited to, creative arts (e.g., crafts, music, dance, drama, among others), sports, adventure programming, dance/movement, and leisure education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health

and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2427 (November 2003), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:

Interested persons may submit written comments to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding these substantive amendments to the proposed Rule. A public hearing on these substantive changes to the proposed Rule is scheduled for Thursday, June 25, 2015 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Kathy H. Kliebert

Secretary